

working with me to uphold a commitment that was made at the end of the 108th Congress that we would consider and vote on this bill. Unfortunately—again, unfortunately—their efforts have been thwarted by a handful of colleagues who have taken it upon themselves to block this bill despite the widespread support from the State of Hawaii.

After 7 years of delay by a few of my colleagues, it is time we are provided with the opportunity to debate this bill in the open. I will be coming to the floor to talk about my bill every day until we begin debate on the bill. I will use every day to talk about what my bill does and does not do and to respond to the outright untruths that have been spread about the legislation. I will use every day to help share Hawaii's history with my colleagues as the opponents of this legislation have taken it upon themselves to rewrite the tragedies of Hawaii's history in a manner that suits them for the purposes of opposing this legislation.

I am deeply saddened by their tactics, but I am committed to ensuring that the Members of this body and all of the citizens in the United States understand Hawaii's history and the importance of extending the Federal policy of self-governance and self-determination to Hawaii's indigenous peoples, the native Hawaiians.

#### VOTE EXPLANATION

Mr. DURBIN. Mr. President, on vote No. 115, I was necessarily absent, due to a mechanical problem with the plane on my United flight 115 from Chicago. Had I been present for that vote, I would have voted against the motion to invoke closure.

Mr. OBAMA. Mr. President, on vote No. 115—the motion to invoke cloture on the motion to proceed to S. 22—I was necessarily absent due to a delay with my flight back from Chicago. Had I been present for that vote, I would have voted against the motion to invoke cloture.

#### HONORING OUR ARMED FORCES

MARINE LANCE CORPORAL STEPHEN BIXLER

Mr. DODD. Mr. President, it is with a heavy heart that I rise today to honor the memory of Marine LCpl Stephen Bixler, of Suffield, CT, who was killed last week while serving our Nation in Iraq. He was 20 years old.

Tragically, Corporal Bixler's life was cut short when an improvised explosive device detonated while he was on patrol in Iraq's Al Anbar province. He was on his third tour of duty with the Marine Corps, having served previous tours in Haiti and Iraq. His heroic service is remembered today by a grateful nation.

Service and leadership. These are the traits that best defined Stephen Bixler—as a talented runner on his high school cross-country team and as

senior patrol leader in Boy Scout Troop 260. He was awarded the rank of Eagle Scout after working hard to improve the Jesse F. Smith Memorial Forest. He decided early on in high school that he wanted to serve his country, and shortly after graduating in 2003 he joined the Marines.

Stephen returned home during the holidays last year and took the time to speak to students at his former high school about his experiences overseas and his pride in serving his country. Friends remember him as an intelligent, dedicated young man who was truly patriotic and possessed a self-confidence and leadership ability beyond his years.

All of us in Connecticut and across America owe a deep and solemn debt of gratitude to Stephen Bixler and to his family for his tremendous service to our country. On behalf of the United States, I offer my deepest condolences to Stephen's parents, Richard and Linda, his twin sister Sandra, and to everyone who knew and loved him.

#### ALTERNATIVE PLURIPOTENT STEM CELL THERAPIES ENHANCEMENT ACT

Mr. SPECTER. Mr. President, I have sought recognition to cosponsor and speak in support of legislation introduced by Senator SANTORUM called the Alternative Pluripotent Stem Cell Therapies Enhancement Act. This bill would authorize research into deriving stem cells using alternative methods that would not result in the destruction of a human embryo.

This legislation, which Senator SANTORUM and I have drafted in close partnership, represents a good faith effort to find common ground among those who support human embryonic stem cell research and those who do not. This bill is fully complementary to legislation that Senators HARKIN, HATCH, FEINSTEIN, SMITH, AND KENNEDY have introduced—the Stem Cell Research Enhancement Act of 2005—which would allow Federal funding for research on additional human embryonic stem cell lines. It will move forward research that could potentially eliminate the objections that some have to embryonic stem cell research while achieving the same goals. However, let me be clear, this legislation is not a substitute for supporting H.R. 810, the House-passed version of the Stem Cell Research Enhancement Act of 2005.

I believe medical research should be pursued with all possible haste to cure the diseases and maladies affecting Americans. In my capacity as Chairman of the Labor, Health and Human Services, and Education Appropriations Subcommittee, I have backed up this belief by supporting increases in funding for the National Institutes of Health. I have said many times that the NIH is the crown jewel of the Federal Government—perhaps the only jewel of the Federal government. When

I came to the Senate in 1981, NIH spending totaled \$3.6 billion. In fiscal year 2006, NIH received a little over \$29 billion to fund its pursuit of life-saving research. The successes realized by this investment in NIH have spawned revolutionary advances in our knowledge and treatment for diseases such as cancer, Alzheimer's disease, Parkinson's disease, mental illnesses, diabetes, osteoporosis, heart disease, ALS and many others. It is clear to me that Congress's commitment to the NIH is paying off. This is the time to seize the scientific opportunities that lie before us, and to ensure that all avenues of research toward cures—including stem cell research—are open for investigation.

In 1998, I learned of the discovery of human embryonic stem cells. These cells have the ability to become any type of cell in the human body. Another way of saying this is that the cells are pluripotent. The consequences of this unique property of stem cells are far-reaching and are key to their potential use in therapies. Scientists and doctors with whom I spoke—and who have since testified before my Appropriations Subcommittee at 17 stem cell-related hearings—were excited by this discovery. They believed that these cells could be used to replace damaged or malfunctioning cells in patients with a wide range of diseases. This could lead to cures and treatments for maladies such as Juvenile Diabetes, Parkinson's disease, Alzheimer's disease, cardiovascular diseases, and spinal cord injury.

Senator HARKIN and I took the lead on making Federal funding available for this promising research. On the issue of funding human embryonic stem cell research, I along with Senators HARKIN, HATCH, FEINSTEIN, SMITH, and KENNEDY are the Senate sponsors of the Stem Cell Research Act of 2005, which we hope will soon be coming up for a vote in the Senate. That critical bill would enable Federal funding of stem cell research with new human embryonic stem cell lines.

Embryonic stem cells are derived from embryos that would otherwise have been discarded. During the course of in vitro fertilization—IVF—therapies, sperm and several eggs are combined in a laboratory to create 4 to 16 embryos for a couple having difficulty becoming pregnant. The embryos grow in an incubator for 5 to 7 days until they contain approximately 100 cells. To maximize the chances of success, several embryos are implanted into the woman. The remaining embryos are frozen for future use. If the woman becomes pregnant after the first implantation, and does not want to have more pregnancies, the remaining embryos are in excess of clinical need and can be donated for research. Embryonic stem cells are derived from these embryos—destroying the embryo in the process. This process raises concerns for some, including my distinguished colleague Senator SANTORUM.

Although I disagree with the calculus that embryos should be discarded rather than used in research, I recognize and appreciate these deeply felt objections. In fact, I took the lead on creating an embryo adoption awareness campaign in fiscal year 2002, and continue to include \$2 million for that campaign in the HHS appropriation. If these embryos are likely to be donated to families that cannot conceive, I want this to be the first choice. However, with 400,000 frozen embryos in IVF clinics around the country, the supply far exceeds the demand and embryos are being discarded. Nonetheless, I want to pursue this and other options to address the objections of some of my colleagues.

When the President's Council on Bioethics reported on several theoretical methods for deriving stem cells without destroying embryos, I immediately scheduled a hearing to investigate these ideas. On July 12, 2005, the Labor-HHS Subcommittee heard testimony from five witnesses describing several theoretical techniques for deriving stem cells without destroying embryos. All five witnesses supported moving forward with the alternative methods without abandoning embryonic stem cell research. The alternative stem cells would theoretically also have the key ability to become any type of cell. Let me briefly mention several of the techniques discussed at the hearing.

Dr. Robert Lanza of Advanced Cell Technologies claims to have derived stem cells from a single cell extracted from 2-day-old, eight-celled mouse embryos. This single cell is called a blastomere and its removal from human embryos does not destroy the original embryo. Scientists know a single cell can be taken from a 2-day-old embryo without destroying it, because it is routinely done in pre-implantation genetic diagnosis.

Dr. William Hurlbut, a Stanford University bioethicist, supports a technique where a cloned embryo would be created whose DNA is mutated such that it cannot develop into a baby. This altered embryo would be destroyed for its stem cells. Since the embryo never had the potential to produce a baby, some of the objections normally raised with embryonic stem cell research would be circumvented.

Several scientists have suggested deriving stem cells from technically dead embryos. When embryos frozen during in-vitro fertilization are thawed, some never resume dividing and thus are discarded.

Many scientists are attempting to turn back the clock on older cells so they again become "pluripotent," the scientific term for the ability to turn into any tissue. Scientists already are trying to do this to some degree through "adult stem cell" research, such as turning blood-making cells into cells that produce liver or muscle tissues.

The legislation, which Senator SANTORUM and I have drafted, is meant

to encourage these alternative methods for deriving stem cells without harming human embryos. The act amends the Public Health Service Act by inserting a section that:

(1) Mandates that the Secretary of Health and Human Services shall support meritorious peer-reviewed research to develop techniques for the derivation of stem cells without creating or destroying human embryos.

(2) Requires the Secretary to issue guidelines within 90 days to implement this research and to identify and prioritize the next research steps.

(3) Requires the Secretary to consider techniques outlined by the President's Council on Bioethics, such as altered nuclear transfer and single cell derivation.

(4) Requires the Secretary to report yearly on the activities carried out under this authorization.

(5) Includes a "Rule of Construction" stating: "Nothing in this section shall be construed to affect any policy, guideline, or regulation regarding embryonic stem cell research, human cloning by somatic cell nuclear transfer, or any other research not specifically authorized by this section."

(6) Defines "human embryo" by reference to the latest definition contained in the appropriations act for the Department of Health and Human Services.

(7) Authorizes "such sums as may be necessary" for fiscal years 2007 through 2009.

Knowing that scientists never know exactly which research will lead to the next great cure, I have always supported opening as many avenues of research as possible. Based on that line of reasoning, I have always supported human embryonic, adult, and cord blood stem cell research. My goal is to see cures for the various afflictions that lower the quality of life—or end the lives—of Americans.

The Santorum/Specter bill focuses attention on one of those avenues of research. I must emphasize that this bill is not a substitute for support of human embryonic stem cell research or support for H.R. 810. The two bills are complementary in their scope and together will advance our understanding of biomedical science and bring us another step closer to the cures and treatment that we all desire.

#### MONTANA'S NATIONAL GUARD

Mr. BAUCUS. Mr. President, I rise today to pay tribute to the 1-163rd infantry battalion of Montana's National Guard for their continued contribution to our Nation. In peacetime, these soldiers have performed admirably at home in Montana, but in wartime the members of the first of the 163rd infantry battalion truly deserve recognition.

For 18 months, they were deployed to Iraq where, on a daily basis, they risked their lives to defend our Nation's core beliefs—freedom, justice, and equality. In November of 2005, 700 troops returned home to Montana.

While serving abroad, these men and women spent the majority of their time at 3 forward operating bases in northern Iraq. They bravely undermined insurgency in the largest and most dangerous area in the 116th Brigade's area of operations.

These Montanans risked their lives daily during their field operations. In total, the 1-163rd infantry battalion performed 6,400 patrols where they encountered frequent attacks. During their deployment, the 1-163rd engaged in over 35 direct battles with members of the Iraqi insurgency and received small arms fire over 130 times. The battalion also defused almost 200 improvised explosive devices, IEDs, and experienced 359 IED detonations.

In addition to the routine patrols that the unit regularly performed, the battalion also conducted 35 task force level operations, 10 joint task force air assault missions, and 120 deliberate company-level operations.

Despite the dangerous conditions, the 1-163rd infantry battalion still made considerable advances in neutralizing their area of operations. The battalion was able to reduce the number of arms and insurgents in the area. Hundreds of Iraqi weapon systems were confiscated, including AK-47s, rocket propelled grenades and mortar tubes, and over 100 insurgents were detained. These efforts were critical in minimizing the likelihood of future attacks in the area.

Not only did the 1-163rd improve the overall safety of northern Iraq, but this infantry battalion also participated in the extensive reconstruction effort. In total, 68 projects worth \$7.5 million were successfully implemented by the battalion. Countless improvements to municipalities in northern Iraq are directly attributable to the 1-163rd.

Today I wish to especially commend two members of the 1-163rd who did not return home but instead gave their lives in service to this great Nation. SGT Travis Arndt, 23, from Great Falls, MT, was killed in action near Kirkuk, Iraq, on September 21, 2005. MSG Robbie McNary, 42, died in combat in Hawijah, Iraq, on March 31, 2005, leaving behind his wife and three children in Lewistown, MT. Let us remember them for their honorable service and ultimate sacrifice.

As a Montanan, an American, and a Senator, I would like to truly thank and commend the first of the 163rd infantry battalion of the Montana's National Guard for their excellent performance during this last deployment and their impressive dedication and loyalty to this nation.

In November, when the 1-163rd returned to Montana from their 18-month deployment, they were applauded for their success, but I would like to keep that recognition alive. Long after this war on terror is over, we will remember their contribution to our most valuable freedom and security. Thank you.